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Room 222

Dockets

FILE

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554

10 FEB 1993

IN REPLY REFER TO:  
7330-7/1700A3

Honorable Don Sundquist  
Member, House of Representatives  
5909 Shelby Oaks Drive  
Suite 213  
Memphis, Tennessee 38134

Dear Congressman Sundquist:

This is in reply to your letter of January 27, 1993, in which you inquired on behalf of your constituents regarding the Notice of Proposed Rule Making (Notice) in PR Docket No. 92-235, 57 FR 54034 (1992). This Notice proposes comprehensive changes to the Commission's Rules governing the private land mobile radio services operating in the frequency bands below 512 MHz.

Those rules have been in place for over 20 years. While they have been amended on numerous occasions since that time, they nonetheless embody regulatory concepts based on yesteryear's technology and, unless changed, will stifle the growth and development of private land mobile radio technology and services, which are used primarily by local governments, public safety entities, and businesses to enhance their productivity. The Commission issued the Notice, therefore, to solicit comment from all interested persons on a wide variety of proposals designed to increase channel capacity, to promote more efficient use of these channels, and to simplify the rules governing use of these channels.

The proposals in the Notice reflect to a large extent concepts and proposals submitted in the initial inquiry stages of this proceeding. None of the proposals set forth in the Notice, however, are engraved in stone. Indeed, the proposals represent our best judgment at this stage of the proceeding on steps that must be taken to improve the regulatory climate for users of the private land mobile radio spectrum below 512 MHz. To this end, some of the critical issues that must be resolved relate to channel spacing, the amount of time provided to users to convert to new technical standards, how the 300 to 500 percent increase in channel capacity should be licensed, how the rules should be written to provide users technical flexibility, and whether the current nineteen radio services should be consolidated and, if so, how. I have enclosed for your information a copy of that part of the Notice that describes the numerous proposals.

Your constituents are specifically concerned about the impact of these changes on radio control (R/C) hobby users. Enclosed is a discussion paper concerning our proposals for the 72-76 MHz band. In short, we expect there would be no adverse impact on R/C operations because of any proposal contained in the Notice.

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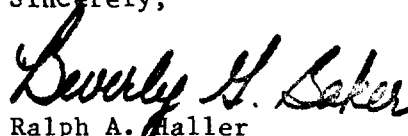
Honorable Don Sundquist

2.

We are, of course, sensitive to the concerns of both users of private land mobile radio spectrum and R/C hobbyists. We will, therefore, take into careful consideration all their comments. Your constituents' concerns will be fully evaluated when we develop final rules in this proceeding. As indicated in the Notice, we remain convinced that without significant regulatory change in radio operations in the bands below 512 MHz, the quality of communications in the private land mobile radio services will continue to deteriorate to the point of endangering public safety and the national economy.

We want to thank you for your interest in this proceeding. Comments on the proposals set forth in the Notice are due February 26, 1993, and Reply Comments are due April 14, 1993. We expect final rules to be issued near the end of 1993. We urge your constituents to file formal comments on all aspects of the proposals.

Sincerely,

A handwritten signature in dark ink, appearing to read "Beverly H. Baker". The signature is fluid and cursive, with the first name being the most prominent.

Ralph A. Haller  
Chief, Private Radio Bureau

Enclosures:  
Notice  
Discussion paper

# Congressional

DUE: 2-10-93

PLEASE MAKE 2 EXTRA COPIES OF INCOMING, ATTACHMENTS,  
AND REPLY FOR DOCKET FILE, ROOM 222.

## CONGRESSIONAL CORRESPONDENCE TRACKING SYSTEM 02/02/93

### LETTER REPORT

CONTROL NO.	DATE RECEIVED	DATE OF CORRESP	DATE DUE	DATE DUE OLA(857)
9300368	02/02/93	01/27/93	02/15/93	

TITLE	MEMBERS NAME	REPLY FOR SIG OF
Congressman	Don Sundquist	BC

CONSTITUENT'S NAME	SUBJECT
several	inq. comments on PR Docket 92-235

REF TO	REF TO	REF TO	REF TO
PRE <i>known</i>			
2-3-93			
DATE	DATE	DATE	DATE
02/02/93			

REMARKS: Respond to the Memphis, TN office.

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PRIVATE  
HCP

DON SUNDQUIST  
7TH DISTRICT, TENNESSEE

COMMITTEE  
WAYS AND MEANS

WASHINGTON OFFICE  
230 CANNON HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515  
202 225-2811

Congress of the United States  
House of Representatives  
Washington, DC 20515

PRB  
92-235  
368

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CLARKSVILLE, TN 37040  
615-552-4406  
5909 SHELBY OAKS DRIVE  
SUITE 213  
MEMPHIS, TN 38134  
901-382-5811

January 27, 1993

Linda Townsend Solheim  
Director  
Office of Legislative Affairs  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, DC 20554

Dear Director Solheim:

I have recently been contacted by several constituents regarding a proposed action by the Federal Communications Commission.

The proposed rule that is currently under consideration by the FCC (PR Docket 92-235), if adopted, will greatly reduce the usability of frequencies currently assigned for radio controlled model use and, according to my constituents, increase the risk of accidents and attendant liability.

The band in which my constituents express concern is 72-76 MHz. Evidently, my constituents radio-controlled frequencies in this band are far enough apart from the land mobile frequencies that they have been able to share the band without either use interfering with the other.

My constituents have assured me that during operation of their R/C models they go to great lengths to assure the safety of the operators and bystanders and protection of property. If the proposal of the FCC is enacted, resulting in the elimination of a number of usable frequencies, it seems clear that the remaining frequencies will become severely congested which should result in a decrease in the margin of overall safety.

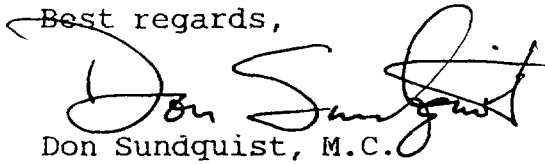
My constituents are simply petitioning the FCC to not carry out its proposal PR Docket 92-235 for the 72-76 MHz band so that they may continue the safe enjoyment of their pastime.

RECEIVED  
JAN 27 1993  
FEDERAL COMMUNICATIONS COMMISSION

Linda Townsend Solheim  
January 27, 1993  
Page 2

Due to an overwhelming concern for this proposal, I would appreciate your attention towards this matter with all resulting correspondence directed to Mike Nicholas in my Memphis office.

Best regards,

A handwritten signature in black ink, appearing to read "Don Sundquist". The signature is stylized with a large, looped "D" and a cursive "Sundquist".

Don Sundquist, M.C.

DKS/mn

Enclosure

JAN 27 REC'D

January 25, 1993

Congressman Don Sunquist  
5909 Shelby Oaks Drive  
Memphis, TN 38134

Dear Congressman Sunquist:

I am very active in several local clubs whose members enjoy constructing and operating radio-controlled model airplanes. I personally own several R/C models and have a workshop full of other products necessary to operating my models. One club I belong to has recently constructed a new flying site in an area that will stop severe erosion problems and enhance surrounding property. This club spent in excess of \$15,000.00 grading, watering system, seeding and controlling run off of top soil.

I am very concerned about the proposed rule that is currently under consideration by the Federal communications Commission (FCC). The proceeding is PR Docket 92-235. If adopted the new rule will greatly reduce the usability of frequencies currently assigned for R/C model use and increase the risk of accidents and attendant liability.

Our radio-control frequencies are in the 72-76 MHz band. This band is primarily used for private land mobile dispatch operations. However, our radio-control frequencies in this band are far enough apart from the land mobile frequencies that we have been able to share the band without either use interfering with the other.

The Notice of Proposed Rule Making (NPRM) in PR Docket 92-235 replaces Part 90 of the rules with a new Part 88. Part 90 allows for safe use of R/C aircraft and surface models by keeping 10 Khz spacing between fixed commercial users and frequencies used by R/C enthusiasts. The new Part 88 will allow mobile users on frequencies within 2.5 Khz of frequencies available to us, eliminating safe use of at least 31 of the 50 channels on the 72 MHz band (for R/C aircraft) and 10 of the 30 frequencies on the 75 MHz band (for R/C cars and boats) now used by hobbyists. In fact, more channels will likely be affected.

When we operate our R/C models, we go to great lengths to assure the safety of the operators and bystanders and the protection of property. Many of our safety precautions involve the careful coordination and use of the radio controls frequencies. If the number of usable frequencies is diminished as proposed by the FCC, the remaining frequencies will become congested and the margin of safety will be greatly decreased.

I don't think it is wise of the FCC to seek to expand the operation conditions of land mobile radio users at the expense of the radio-control modelers. The FCC may not think we are as important as business users of radio, but we have a considerable investment in our models and in our radio equipment. It is a sizeable industry that must be saved from these detrimental FCC actions. The hobby provides many hours of enjoyment to hundreds of thousands of people like myself and contributes to the advancement and development of the commercial aviation industry.

Please help me continue the safe enjoyment of my pastime by not allowing the FCC to carry out its proposal PR Docket 92-235 for the 72-76 MHz band. We will need your help urgently because the FCC has a deadline of February 26, 1993 after which it may become more difficult to avoid halting these proposals from going into effect.

Thank you for your help in this important matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Robert A. Boardman". The signature is fluid and extends across the width of the line.